

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chairman Jim Shockley, on March 23, 2009 at 3:00 P.M., in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Jim Shockley, Chairman (R)
Sen. Joe Balyeat (R)
Sen. Jerry W. Black (R)
Sen. John Brenden (R)
Sen. Mike Cooney (D)
Sen. Larry Jent (D)
Sen. Carolyn Squires (D)
Sen. Joseph (Joe) Tropila (D)
Sen. Jonathan Windy Boy (D)

Members Excused: Sen. Keith Bales (R)
Sen. John Brueggeman, Vice Chairman (R)

Members Absent: None

Staff Present: Dave Bohyer, Legislative Branch
Libby Goodwin, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 12, 3/16/2009; HB 34, 3/16/2009;
HB 170, 3/16/2009; HB 509,
3/16/2009; HB 626, 3/16/2009

Executive Action: HB 509, HB 170, HB 626, HB 144, HB
59, HB 12

HEARING ON HB 170

Opening Statement by Sponsor:

00:00:49 Rep. Mike Menahan (D), HD 82, opened the hearing on HB 170, Ensuring tax qualification by IRS of certain retirement systems.

00:03:42 Sen. Windy Boy left the meeting.

Proponents' Testimony:

00:03:54 Melanie Symons, Montana Public Employees Retirement Administration (MPERA)

EXHIBIT(sts64a01)

Opponents' Testimony:

00:14:29 None

Informational Testimony:

00:14:31 None

Questions from Committee Members and Responses:

00:14:35 Sen. Balyeat
00:15:09 Ms. Symons, MPERA
00:15:40 Sen. Balyeat
00:15:52 Ms. Symons, MPERA
00:16:47 Sen. Balyeat
00:16:52 Ms. Symons, MPERA
00:18:51 Sen. Balyeat
00:19:08 Ms. Symons, MPERA
00:19:30 Chairman Shockley
00:19:51 Ms. Symons, MPERA
00:20:25 Scott Miller, MPERA
00:21:22 Chairman Shockley
00:21:39 Mr. Miller, MPERA

Closing by Sponsor:

00:23:02 Rep. Menahan

HEARING ON HB 509

Opening Statement by Sponsor:

00:23:25 Rep. Pat Ingraham (R), HD 13, opened the hearing on HB 509, Revise requirements for counting write-in votes.

Proponents' Testimony:

00:25:37 Linda Stoll, Montana Association of Clerk and Recorders

00:26:50 Linda McCulloch, Secretary of State

[EXHIBIT](#)(sts64a02)

Opponents' Testimony:

00:28:36 None

Informational Testimony:

00:28:39 None

Questions from Committee Members and Responses:

00:28:41 Sen. Cooney

00:29:26 Rep. Ingraham

00:30:00 Sen. Cooney

00:30:21 Rep. Ingraham

Closing by Sponsor:

00:30:59 Rep. Ingraham

HEARING ON HB 626

Opening Statement by Sponsor:

00:31:50 Rep. Jeffery Welborn (R), HD 72, opened the hearing on HB 626, Revise transfer from local police retirement plan to statewide system.

Proponents' Testimony:

00:33:12 W.G. Gilbert III, City of Dillon

00:36:03 Kim Flatow, MPERA

00:36:17 Quinton Nyman, MPERA

Opponents' Testimony:

00:36:54 None

Informational Testimony:

00:36:57 None

Questions from Committee Members and Responses:

00:37:02 Chairman Shockley

00:37:27 Ms. Flatow, MPERA

Closing by Sponsor:

00:38:04 Rep. Welborn

EXECUTIVE ACTION ON HB 170

00:39:06 **Motion/Vote:** Sen. Cooney moved that **HB 170 BE CONCURRED IN**. Motion carried 10-0 by voice vote. Sen. Brueggeman and Sen. Windy Boy voted by proxy. Sen. Bales was excused. Sen. Jent will carry the bill.

Discussion:

00:40:31 Sen. Brenden

00:40:45 Chairman Shockley

00:40:53 Sen. Brenden

EXECUTIVE ACTION ON HB 509

00:41:21 **Motion/Vote:** Sen. Cooney moved that **HB 509 BE CONCURRED IN**. Motion carried 10-0 by voice vote. Sen. Brueggeman and Sen. Windy Boy voted by proxy. Sen. Bales was excused. Sen. Cooney will carry the bill.

EXECUTIVE ACTION ON HB 626

00:43:01 **Motion:** Sen. Jent moved that **HB 626 BE CONCURRED IN**.

Discussion:

00:43:19 Chairman Shockley

00:43:33 Sen. Squires

00:43:54 **Vote:** Motion carried 8-1 by voice vote with Sen. Balyeat voting no. Sen. Windy Boy voted by proxy. Sen. Bales and Sen. Brueggeman were excused. Sen. Barrett will carry the bill.

EXECUTIVE ACTION ON HB 59

Discussion:

00:45:02 Dave Bohyer
00:45:05 Chairman Shockley

EXECUTIVE ACTION ON HB 144

Discussion:

00:45:24 Chairman Shockley
00:45:30 Dave Bohyer
00:46:13 Chairman Shockley

00:46:20 **Motion:** Sen. Cooney moved that **HB 144 BE CONCURRED IN.**

00:46:47 Sen. Squires
00:48:27 Sen. Balyeat

00:49:29 **Vote:** Motion carried 7-2 by roll call vote with Sen. Black and Sen. Brenden voting no. Sen. Windy Boy voted by proxy. Sen. Brueggeman was excused. Sen. Cooney will carry the bill.

HEARING ON HB 12

Opening Statement by Sponsor:

00:51:41 Rep. Franke Wilmer (D), HD 64, opened the hearing on HB 12, Require employer contributions on working retirees under certain conditions.

Proponents' Testimony:

00:54:43 Mr. Miller, MPERA
00:56:07 Tom Bilodeau, Montana Education Association/Montana Federation of Teachers (MEA/MFT)

Opponents' Testimony:

00:57:37 None

Informational Testimony:

00:57:42 None

Questions from Committee Members and Responses:

00:57:45 Sen. Jent
00:58:57 Mr. Miller, MPERA
00:59:55 Sen. Jent
01:00:46 Mr. Miller, MPERA
01:01:40 Sen. Jent
01:01:59 Mr. Miller, MPERA
01:02:02 Sen. Jent
01:02:31 Mr. Miller, MPERA
01:02:48 Sen. Balyeat
01:04:21 Mr. Miller, MPERA
01:04:39 Sen. Balyeat
01:04:51 Mr. Miller, MPERA
01:04:57 Sen. Balyeat
01:05:44 Mr. Miller, MPERA
01:05:58 Sen. Balyeat
01:06:17 Mr. Miller, MPERA
01:06:21 Sen. Balyeat
01:06:39 Mr. Miller, MPERA
01:07:05 Ms. Flatow, MPERA
01:07:41 Sen. Balyeat
01:08:02 Ms. Flatow, MPERA
01:08:50 Chairman Shockley
01:09:12 Mr. Miller, MPERA
01:10:03 Sen. Brenden
01:10:11 Ms. Flatow, MPERA
01:10:19 Sen. Brenden
01:10:30 Ms. Flatow, MPERA

Closing by Sponsor:

01:10:39 Rep. Wilmer

01:10:49 Sen. Windy Boy returned to the meeting.

HEARING ON HB 34

Opening Statement by Sponsor:

01:13:20 Rep. Franke Wilmer (D), HD 64, opened the hearing on HB 34, Revise retirement statutes to address return to work issues and funding concerns.

EXHIBIT(sts64a03)

Proponents' Testimony:

01:15:34 David Senn, Teachers' Retirement Board

EXHIBIT(sts64a04)

01:20:25 Tom Bilodeau, MEA/MFT

Opponents' Testimony:

01:21:27 None

Informational Testimony:

01:21:30 None

Questions from Committee Members and Responses:

01:21:33 Sen. Balyeat
01:22:03 Mr. Senn, Teachers' Retirement Board
01:22:42 Sen. Balyeat
01:22:54 Mr. Senn, Teachers' Retirement Board
01:23:03 Chairman Shockley
01:23:13 Mr. Senn, Teachers' Retirement Board
01:23:41 Chairman Shockley
01:23:50 Mr. Senn, Teachers' Retirement Board
01:24:05 Chairman Shockley
01:24:24 Mr. Senn, Teachers' Retirement Board
01:24:28 Chairman Shockley
01:24:39 Mr. Senn, Teachers' Retirement Board
01:24:42 Chairman Shockley
01:24:49 Mr. Senn, Teachers' Retirement Board
01:24:57 Sen. Balyeat
01:25:16 Mr. Senn, Teachers' Retirement Board
01:25:22 Sen. Brenden
01:25:35 Mr. Senn, Teachers' Retirement Board
01:25:48 Sen. Brenden
01:26:10 Mr. Senn, Teachers' Retirement Board
01:26:32 Sen. Brenden
01:26:42 Mr. Senn, Teachers' Retirement Board

01:26:57 Sen. Black
 01:27:20 Mr. Bilodeau, MPERA
 01:28:23 Sen. Black
 01:28:29 Mr. Bilodeau, MPERA
 01:30:20 Sen. Black
 01:30:34 Mr. Bilodeau, MPERA
 01:31:36 Chairman Shockley
 01:31:43 Mr. Bilodeau, MPERA
 01:32:15 Chairman Shockley
 01:32:29 Mr. Bilodeau, MPERA

 01:32:41 Sen. Windy Boy left the meeting.

 01:32:58 Sen. Black
 01:33:18 Mr. Bilodeau, MPERA
 01:34:47 Sen. Black
 01:34:55 Mr. Bilodeau, MPERA
 01:35:33 Chairman Shockley
 01:35:39 Rep. Wilmer

Closing by Sponsor:

01:36:19 Rep. Wilmer

EXECUTIVE ACTION ON HB 12

01:37:16 **Motion:** Sen. Squires moved that **HB 12 BE CONCURRED IN.**

Discussion:

01:37:29 Sen. Balyeat
 01:37:50 Chairman Shockley
 01:38:00 Sen. Squires
 01:38:03 Sen. Balyeat
 01:38:51 Chairman Shockley

 01:39:09 **Vote:** Motion carried 7-2 by roll call vote with Sen. Balyeat and Sen. Brenden voting no. Sen. Windy Boy voted by proxy. Sen. Brueggeman and Sen. Bales were excused. Sen. Jent will carry the bill.

ADJOURNMENT

Adjournment: 4:45 P.M.

Libby Goodwin, Secretary

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Additional Documents:

EXHIBIT ([sts64aad.pdf](#))